United Nations A/55/388

General Assembly

Distr.: General
14 September 2000
English
Original: Arabic/English/Russian

Fifty-fifth session
Agenda item 70
Establishment of a nuclear-weapon-free zone in the region of the Middle East

Establishment of a nuclear-weapon-free zone in the region of the Middle East

Report of the Secretary-General*

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* As the present report makes reference to the Final Document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF.2000/28 (Parts I and II)), its final preparation was dependent upon the availability of that document in all official languages.

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I. Introduction

1. In paragraph 10 of its resolution 54/51 of 1 December 1999, the General Assembly requested the Secretary-General to continue to pursue consultations with the States of the region of the Middle East and other concerned States, in accordance with paragraph 7 of Assembly resolution 46/30 of 6 December 1991 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to his report[1] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the Middle East. In paragraph 11 of the same resolution, the Assembly also requested the Secretary-General to submit to it at its fifty-fifth session a report on the implementation of the resolution. The present report is in response to that request.

2. On 18 February 2000, the Secretary-General addressed a note verbale to all Member States drawing attention to paragraph 10 of resolution 54/51 and seeking the views of Member States on the matter. Replies were received from Egypt, Qatar and the Russian Federation; the text of the replies is reproduced in section III below. Any additional replies from Member States will be issued as addenda to the present report.

II. Observations

3. The Secretary-General notes that the issue of the establishment of a nuclear-weapon-free zone has received increased attention at the recently concluded 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Measures with regard to the Middle East, particularly the implementation of the 1995 Resolution on the Middle East, were outlined in the Final Document[2] of the Conference, which was adopted by consensus. They are as follows:

> "1. The Conference reaffirms the importance of the Resolution on the Middle East adopted by the 1995 Review and Extension Conference and recognizes that the resolution remains valid until the goals and objectives are achieved. The Resolution, which was co-sponsored by the depositary States (Russian Federation, United Kingdom of Great Britain and Northern Ireland and United States of America), is an essential element of the outcome of the 1995 Conference and of the basis on which the Treaty on the Non-Proliferation of Nuclear Weapons was indefinitely extended without a vote in 1995.
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> "2. The Conference reaffirms its endorsement of the aims and objectives of the Middle East peace process and recognizes that efforts in this regard, as well as other efforts, contribute to, inter alia, a Middle East zone free of nuclear weapons as well as other weapons of mass destruction.
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> "3. The Conference recalls that in paragraph 4 of the 1995 Resolution on the Middle East the Conference 'calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope International Atomic Energy Agency safeguards'. The Conference notes, in this connection, that the report of the United Nations Secretariat on the implementation of the 1995 Resolution on the Middle East[3] states that several States have acceded to the Treaty and that, with these accessions, all States of the region of the Middle East, with the exception of Israel, are States parties to the Treaty on the Non-Proliferation of Nuclear Weapons. The Conference welcomes the accession of these States and reaffirms the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive International Atomic Energy Agency (IAEA) safeguards, in realizing the goal of universal adherence to the Treaty in the Middle East.
>
> "4. The Conference notes the requirement under article III of the Non-Proliferation Treaty for non-nuclear-weapon States parties to conclude agreements with IAEA to meet the requirements of the statute of IAEA. In this regard, the Conference notes from paragraph 44 of the review of article III that nine States parties in the region have yet to conclude comprehensive safeguards agreements with IAEA and invites those States to negotiate such agreements and bring them into force as soon as possible. The Conference welcomes the conclusion of an Additional Protocol by Jordan and invites all other States in the Middle East, whether or not

party to the Treaty, to participate in IAEA's strengthened safeguards system.

"5. The Conference notes the unanimous adoption by the United Nations Disarmament Commission, at its 1999 session, of guidelines on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned.[4] The Conference notes that, at that session, the Disarmament Commission encouraged the establishment of a nuclear-weapon-free zone in the Middle East, as well as the development of zones free from all weapons of mass destruction. The Conference notes the adoption without a vote by the General Assembly, for the twentieth consecutive year, of a resolution proposing the establishment of a nuclear-weapon-free zone in the region of the Middle East.

"6. The Conference invites all States, especially States of the Middle East, to reaffirm or declare their support for the objective of establishing an effectively verifiable Middle East zone free of nuclear weapons as well as other weapons of mass destruction, to transmit their declarations of support to the Secretary-General of the United Nations and to take practical steps towards that objective.

"7. The Conference requests all States parties, particularly the nuclear-weapon States, the States of the Middle East and other interested States, to report through the United Nations Secretariat to the President of the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, as well as to the Chairperson of the Preparatory Committee meetings to be held in advance of that Conference, on the steps that they have taken to promote the achievement of such a zone and the realization of the goals and objectives of the 1995 Resolution on the Middle East. It requests that the Secretariat prepare a compilation of those reports in preparation for consideration of these matters at the Preparatory Committee meetings and the 2005 Review Conference.

"8. The Conference requests the President of the 2000 Review Conference to convey the Final Document of the Conference, including its conclusions and recommendations, to the Governments of all States, including those States parties unable to attend the Conference and to States that are not party to the Treaty.

"9. Recalling paragraph 6 of the 1995 Resolution on the Middle East, the Conference reiterates the appeal to all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to extend their cooperation and to exert their utmost efforts with a view to ensuring the early establishment by regional parties of a Middle East zone free of nuclear and all other weapons of mass destruction and their delivery systems. The Conference notes the statement by the five nuclear-weapon States reaffirming their commitment to the 1995 Resolution on the Middle East.

"10. Bearing in mind the importance of full compliance with the Non-Proliferation Treaty, the Conference notes the statement of 24 April 2000 by the IAEA Director General that, since the cessation of IAEA inspections in Iraq on 16 December 1998, the Agency has not been in a position to provide any assurance of Iraq's compliance with its obligations under Security Council resolution 687 (1991). The Conference further notes that IAEA carried out an inspection in January 2000 pursuant to Iraq's safeguards agreement with IAEA during which the inspectors were able to verify the presence of the nuclear material subject to safeguards (low enriched, natural and depleted uranium). The Conference reaffirms the importance of Iraq's full continuous cooperation with IAEA and compliance with its obligations."

4. The agreements reached at the 2000 Review Conference reaffirm the broad measure of support for the establishment of a nuclear-weapon-free zone in the region of the Middle East. The Secretary-General notes that at the Multilateral Steering Group meeting held in February 2000, the participating Foreign Ministers emphasized the importance of reaching an agreed comprehensive agenda for the multilateral Working Group on Arms Control and Regional Security. In this context, he believes that the Working Group could play a useful role as a forum for discussing a broad range of arms control, disarmament and confidence-building measures, including the establishment of a nuclear-weapon-free zone in the region, and expresses the hope that the parties of the region and other States concerned

will intensify their efforts so that formal activities of the Working Group might commence as soon as possible. The Secretary-General reaffirms the continued readiness of the United Nations to provide any assistance deemed helpful in this regard.

III. Replies received from Governments

Egypt

[Original: English]
[6 September 2000]

1. Egypt's commitment to the establishment of a nuclear-weapon-free zone in the Middle East is unquestionable. It was at the request of the Islamic Republic of Iran and Egypt that the item "Establishment of a nuclear-weapon-free zone in the Middle East" was first inscribed on the agenda of the General Assembly in 1974. Since that date, the Assembly has annually adopted a resolution, by consensus since 1980, on this matter. Throughout the years, Egypt has continued to play a leading role in promoting the objective of ridding the Middle East of the threat of nuclear weapons.

2. As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons and a signatory to the African Nuclear-Weapon-Free Zone Treaty, Egypt has clearly and unambiguously demonstrated its rejection of the nuclear option, which represents a major threat to peace, security and stability in the Middle East. Today, Egypt notes that all States of the Middle East have become parties to the Non-Proliferation Treaty with the exception of Israel, which regrettably persists in ignoring repeated calls to joint the Treaty and to place all its nuclear facilities under IAEA full-scope safeguards, thereby perpetuating a dangerous imbalance in the region.

3. The importance given during the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to the establishment of a nuclear-weapon-free zone in the Middle East is yet another testimony to the commitment of the international community to the establishment of such a zone in the region. The 2000 Review Conference, further to the 1995 Resolution on the Middle East, adopted unanimously in its Final Document a reaffirmation of the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, which reads as follows:[5]

> "The Conference recalls that in paragraph 4 of the 1995 Resolution on the Middle East the Conference 'calls upon all States in the Middle East that have not yet done so, without exception, to accede to the Treaty as soon as possible and to place their nuclear facilities under full-scope IAEA safeguards'. The Conference notes, in this connection, that the report of the United Nations Secretariat on the implementation of the 1995 Resolution on the Middle East[6] states that several States have acceded to the Treaty and that, with these accessions, all States of the region of the Middle East, with the exception of Israel, are States parties to the Non-Proliferation Treaty. The Conference welcomes the accession of these States and reaffirms the importance of Israel's accession to the Non-Proliferation Treaty and the placement of all its nuclear facilities under comprehensive IAEA safeguards, in realizing the goal of the universal adherence to the Treaty in the Middle East."

4. Egypt is cognizant of the fact that the establishment of a nuclear-weapon-free zone in the Middle East is a difficult task. Indeed, each region of the world has its own characteristics, and each zone must be tailored to suit those characteristics. However, Egypt does not share the view that full-scale peace and fully developed political and economic relations between all States of the region are a prerequisite for the commencement of negotiations on the establishment of a zone. If such an argument were correct, it is unlikely that the Treaty of Tlatelolco or even the Treaty of Pelindaba, would ever have been negotiated. Regrettably, conflicts continue to rage in various parts of Africa to this very day, yet such conflicts were not invoked as reasons to prevent negotiations on an African nuclear-weapon-free zone. To Egypt, experience has shown that the establishment of nuclear-weapon-free zones in areas of tension and conflict does indeed contribute to easing tensions, preventing conflicts and developing peaceful relations and mutual cooperation.

5. For a nuclear-weapon-free zone to come about in any area of the world, there must inevitably exist a regional commitment to this objective. Such a commitment is unquestionably present in the Middle

East, as is testified to by the annual adoption of a consensus resolution of the General Assembly on the matter and by the adoption of consensus guidelines by the United Nations Disarmament Commission at its 1999 substantive session on the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned. In this connection, Egypt notes with satisfaction that there is agreement that the establishment of a nuclear-weapon-free zone in the Middle East, as well as the development of a zone free from all weapons of mass destruction, should be encouraged. Egypt considers that it is imperative that these commitments be turned into concrete actions if it is to have a determining and positive impact on the Middle East peace process.

6. Making negotiations on a Middle East nuclear-weapon-free zone contingent upon an ever-growing list of prerequisites is a sure recipe for failure. In Egypt's view, the only prerequisite for negotiations to commence on the establishment of a zone in the Middle East is that States in the region have the political will to sit together and commence negotiations. Viewing the Middle East nuclear-weapon-free zone as no more than an act that "sets the seal on a durable peace" is not a vision that is shared by Egypt. A Middle East nuclear-weapon-free zone is in and of itself an important confidence-building measure and an act of political reconciliation. Furthermore, arguing that fully fledged relations of peace must exist before talks on such a zone can commence, while at the same time persisting in maintaining a nuclear option, clearly appear as two mutually exclusive and contradictory arguments. In a region as volatile as the Middle East no solid and durable peace can be achieved while a nuclear threat continues to loom over the region.

7. Egypt will continue to pursue the objective of establishing a nuclear-weapon-free zone in the Middle East at the earliest time and in this context will continue to seek the support of regional and extra-regional States. Furthermore, Egypt will continue its endeavours in realizing the objectives of establishing such a zone based on the outcome of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. It will also pursue its April 1990 initiative for the establishment, in the Middle East, of a zone free from all weapons of mass destruction. In its endeavours, it will continue to seek the support of the international community and of all those who are committed to ridding the world, at both the regional and the global levels, of the threat of nuclear weapons.

Qatar

[Original: Arabic]
[7 June 2000]

1. The relevant authority in the State of Qatar (the Ministry of Defence) states that the measures set forth in sections III and IV of the study annexed to the report of the Secretary-General of 10 October 1990 under the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (A/45/435) are as follows:

(a) The States of the region should not possess nuclear weapons;

(b) No State should station nuclear weapons in the geographical area of the region;

(c) There should be no use or threat of use of nuclear weapons against targets located in the region.

2. The Ministry of Defence (the General Command) endorses such measures, which would ensure the non-proliferation of nuclear weapons in the region. It has no further comments to make.

Russian Federation

[Original: Russian]
[12 June 2000]

1. The Russian Federation is a principled supporter of the establishment of a nuclear-weapon-free zone in the Middle East; the idea was first put forward by us in 1958. The establishment of such a zone is in keeping with the long-term national interests of the States of the region and would be a significant step towards strengthening international peace and security and achieving the objective of nuclear disarmament as proclaimed in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons.

2. We are convinced that the realization of the idea of a nuclear-weapon-free zone in the Middle East will be possible only when all countries of the region without exception become parties to the Treaty on the Non-Proliferation of Nuclear Weapons. As is well known, Israel is currently the only State of the region

that is not a party to the Treaty on the Non-Proliferation of Nuclear Weapons. In the light of this fact, the Russian Federation strongly supported the appeal by the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to interested countries of the region to accede to the Treaty and, prior to the establishment of a nuclear-weapon-free zone in the Middle East, to place their nuclear activities under the safeguards of the International Atomic Energy Agency. We believe that this would be an important practical step towards the establishment of a nuclear-weapon-free zone in the Middle East.

3. At the same time, the differences of opinion concerning the idea of a nuclear-weapon-free zone in the Middle East and its expanded variant, a zone free of weapons of mass destruction, can essentially be settled only at the multilateral level, with appropriate guarantees from the nuclear Powers. In our view, the discussion of the parameters of the nuclear-weapon-free zone in the Middle East, including the question of monitoring the effectiveness of its regime, should be organized on a basis acceptable to all interested parties and should include the participation of the United Nations.

4. The best forum for this could be the Working Group on Arms Control and Regional Security. We are continuing our search for ways of including the related problems in an official agenda and breaking the deadlock in the work of the Group as a whole. The meeting of the Steering Group in Moscow in February 2000 underscored the importance of working out an agreed comprehensive agenda for the Working Group on Arms Control and Regional Security, calling upon the regional parties to intensify their efforts to reach, with the assistance of the co-sponsors, appropriate agreements and to resume official activities within the Group. The Russian Federation, as a co-sponsor and one of the main co-founders of the Working Group on Arms Control and Regional Security, is particularly interested in seeing the implementation of the recommendations of the Moscow meeting of the Steering Group.

Notes

[1] A/45/435.

[2] NPT/CONF.2000/28 (Parts I and II).

[3] NPT/CONF.2000/7.

[4] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 42* (A/54/42), annex I, sect. C.

[5] NPT/CONF.2000/28 (Parts I and II), para. 16/3.

[6] NPT/CONF.2000/7.